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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAN BOBBA and CHRIS RHODES, individually,
and on behalf of all others similarly situated,

Plaintiff,

v.

MAGNA, INC.; STEVE MOIDEL; NEP
PRODUCTS, INC.; ARAGON PRODUCTS;
ALLNUTRI.COM; VITASPRINGS.COM;
1BODY4U.COM; BUYVIVAXA.NET;
MAGNARSPILLS.COM; and DOES 1-250,
Inclusive,

Defendants.

Case No. CV 10 1601 EDL

**STIPULATION FOR
POSTPONEMENT OF RULING ON
DEFENDANTS' MOTION FOR
SANCTIONS PURSUANT TO 28
U.S.C. § 1927 PENDING THE
PARTIES' EFFORTS TO REACH
SETTLEMENT**

Plaintiffs Dan Bobba and Chris Rhodes and Defendants Steve Moidel and Magna-RX, Inc. (collectively, "Magna"), by and through their respective undersigned counsel, hereby stipulate and agree to a postponement of this Court's ruling on Magna's "Motion for Sanctions Pursuant to 28 U.S.C. § 1927" (the "Motion") until such time as the parties inform the court that settlement discussions initiated

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1 following oral argument on the Motion on October 12, 2010 have concluded
2 unsuccessfully. The parties' ongoing settlement discussions, if successful, will render
3 the Motion moot.
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5 DATED this 14th day of October, 2010.
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7 NEWPORT TRIAL GROUP
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9 By: /S/
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14 VARNER & BRANDT LLP

15 By: Keith A. Kelly
16 Keith A. Kelly
17 3750 University Avenue, Suite 610
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19 Attorneys for Defendants Steve Moidel
20 and Magna-RX, Inc.
21

22 PURSUANT TO STIPULATION IT IS SO ORDERED:
23

24 DATED: October 18, 2010

25 By: Elizabeth D. Laporte
26 Honorable United States Magistrate
27 Elizabeth D. Laporte
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